

EXHIBIT G

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE

LINDA J. BLOZIS,)
)
Plaintiff,)
) Civil Action
v.) No. 05-891 SLR
)

MELLON TRUST OF DELAWARE, NATIONAL)
ASSOCIATION, a Pennsylvania cor-)
poration; MELLON BANK, NATIONAL)
ASSOCIATION, (formerly MELLON BANK)
(DE) NATIONAL ASSOICATION), a)
Pennsylvania corporation; and)
MELLON FINANCIAL CORPORATION, a)
Pennsylvania corporation,)

Defendants.)

Deposition of WILLIAM S. BECKER taken
pursuant to notice at the law offices of John M.
LaRosa, Esq., Two East 7th Street, Wilmington,
Delaware, beginning at 10:20 a.m., Friday, January 5,
2007, before Christina M. Vitale, Certified Shorthand
Reporter and Notary Public.

APPEARANCES:

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For the Plaintiff

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1 graduate from high school?

2 A. Yes, I did.

3 Q. Did you graduate from college?

4 A. Yes.

5 Q. Did you receive an undergraduate degree?

6 A. Yes.

7 Q. What is your undergraduate degree in?

8 A. BS in finance.

9 Q. Did you attend graduate school?

10 A. I did not.

11 Q. Who is your current employer?

12 A. Mellon.

13 Q. Have you ever reported to anyone at Mellon
14 Trust of Delaware?

15 A. I reported to Brendan Gilmore, who is my team
16 leader. I'm unsure whether he was an employee of
17 Mellon Trust of Delaware or what entity he was
18 employed by.

19 Q. Did Linda Blozis ever report to you when you
20 worked at Mellon?

21 A. Yes, she did.

22 Q. What time frame did she report to you?

23 A. Beginning in September of 1998 until year-end
24 2002.



1 A. Yes.

2 Q. Approximately how many employees did you
3 supervise in your role of portfolio manager?

4 A. Two.

5 Q. Who were they?

6 A. Linda Blozis and Katie Agne.

7 Q. Is that the Kathleen Agne --

8 A. Kathleen Agne, correct.

9 Q. What was Kathleen Agne's title?

10 A. I don't remember what her title was.

11 Q. Do you remember what Linda Blozis' title was?

12 A. She was an assistant, I believe portfolio
13 assistant.

14 Q. You told us earlier that you supervised or
15 managed Linda Blozis between September of 1998 and
16 December of 2002 or the end of I think you said the
17 end of 2002?

18 A. Yes.

19 Q. During that same time did you supervise
20 Kathleen Agne?

21 A. Yes.

22 Q. Did Kathleen Agne leave Mellon at some point in
23 that time frame?

24 A. Yes, she did.



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1 Q. Do you remember when that was?

2 A. I do not recall when that was.

3 Q. Did Kathleen Agne resign her employment?

4 A. Kathleen Agne was -- her employment was
5 terminated.

6 Q. And who made the decision to terminate her
7 employment?

8 A. That was a joint decision between or among Greg
9 Landis, Brendan Gilmore and me.

10 Q. Approximately how old was Kathleen Agne at the
11 time her employment ended?

12 A. I don't know.

13 Q. Was she over the age of 40?

14 A. I believe so.

15 Q. Do you recall what the stated reason was she
16 was told her employment was being terminated?

17 A. As I remember she had many errors and she
18 wasn't completing her work that was assigned in a
19 timely manner.

20 Q. Do you remember approximately what year her
21 employment was terminated?

22 A. Either 2000 or 2001.

23 Q. Did Mellon eventually hire someone to replace
24 Kathleen Agne?



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1 Brendan, so I assume that she did.

2 Q. You were hired by Brendan Gilmore --

3 A. Yes.

4 Q. -- the first time you were working at Mellon?

5 A. Yes, I was.

6 Q. He hired you to replace Martha Feters, is that
7 correct?

8 A. I believe so.

9 Q. And Linda Squier eventually resigned from
10 Mellon, is that correct?

11 A. That's correct.

12 Q. Did she submit a resignation to Brendan
13 Gilmore?

14 A. I don't remember. I believe she would have
15 either submitted that to Brendan or to me, but to
16 someone. I don't know.

17 Q. You don't recall receiving a resignation from
18 her?

19 A. I don't remember that, no.

20 Q. So, she may have submitted a resignation to
21 Brendan Gilmore?

22 A. She may have, yes.

23 Q. Did you know a Robert Bell at Mellon?

24 A. Yes.



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1 Q. What was Mr. Bell's title?

2 A. I believe Bob was -- he was a fiduciary
3 officer. I don't know whether he was an assistant,
4 but an officer, I believe he was an officer. He had
5 been there a long time.

6 Q. Did he report to Brendan Gilmore?

7 A. I do not know that specifically. I assume he
8 did because he was on that team.

9 Q. He had been at Mellon a long time, you said?

10 A. I believe so.

11 Q. Was he over the age of 40?

12 A. I believe so.

13 Q. And did he eventually resign?

14 A. I don't know if he resigned or retired. I know
15 he had health problems. I never worked with Bob.

16 Q. Was Brendan Gilmore concerned about Robert
17 Bell's health problems?

18 MS. WILSON: Objection to form.

19 A. I don't know.

20 Q. Was anyone at Mellon concerned about Robert
21 Bell's health problems?

22 MS. WILSON: Same objection.

23 A. I don't know.

24 Q. You weren't concerned about Robert Bell's



1 she had been there more than ten years, is that your
2 understanding?

3 A. I could review this. I believe so, yes.

4 Q. And Brendan Gilmore had called Linda Blozis a
5 survivor, is that correct?

6 A. I don't know.

7 Q. Do you recall any someone ever calling Linda
8 Blozis a survivor?

9 A. Not that I ever heard.

10 Q. At some point did Brendan Gilmore decide that
11 he was going to take over supervisory responsibility
12 for Linda Blozis?

13 A. Could you repeat that? I'm sorry.

14 (The pending question was read back by the
15 court reporter.)

16 A. I don't remember any formal discussion or
17 announcement that Brendan was going to take over that
18 responsibility. The team leader's job is ultimately
19 to be responsible for every team member regardless of
20 the reporting structure or to whom the assistant
21 reported, but I don't recall any announcement or
22 proclamation that he was going to do that.

23 Q. At some point you came to Mellon around 1998,
24 is that correct?



1 A. That's correct.

2 Q. And Linda Blozis reported directly to you?

3 A. That's correct.

4 Q. And then at some point at the end of 2002 or
5 the beginning of 2003 you were going to transfer to a
6 different position within Mellon?

7 A. That's correct.

8 Q. And so you were no longer going to be on the
9 Gilmore team, is that correct?

10 A. That's correct.

11 Q. And so were you given an option of taking your
12 assistant or any personnel with you to your new role?

13 A. No.

14 Q. And was there an issue of -- was there a
15 possibility that Linda Blozis could report to you in
16 your new role while she remained in Delaware?

17 A. No. I was given the responsibility of a team
18 leader for a different team up in Philadelphia at that
19 point at the end of 2002 to begin at the beginning of
20 2003.

21 Q. That's when you began as one of the five -- you
22 became one of the five team leaders working out of
23 Philadelphia?

24 A. Yes, I believe there were five at the time, I



1 A. That was "Meets Target."

2 Q. At the bottom of the page it says "Year-End
3 Overall Assessment For Shared Values" and flipping to
4 the next page there is a rating there, Mel/Bloz 458.
5 How did you rate Linda Blozis for shared values in
6 2002?

7 A. "Highly Effective."

8 Q. Turning your attention to 459 there is a
9 portion there at the bottom that says "Comments on
10 Year-End Assessment" and you wrote in the box here,
11 "Linda understands that the role of portfolio
12 administrator is changing at Mellon and that more will
13 be expected of her in the future." Is that your
14 comment there?

15 A. Yes, I believe it is.

16 Q. How was the role of portfolio administrator
17 changing at Mellon when you made that comment?

18 A. Well, I believe that it's just an evolution of
19 what the position had been when I joined in '98 and
20 that was continuing. Just asking the assistant to
21 take on more responsibility within the client base to
22 be able to assist the officers better. That required
23 learning more about Mellon's investment management and
24 doing higher level tasks.



1 Q. On an employee's own time?

2 A. On the employee's own time to get up to speed
3 with what the job was becoming, yes, to be qualified
4 to do that job.

5 Q. Did you tell her she would need to get up to
6 speed on the weekends or nights or something to that
7 effect?

8 A. I would have to go back and look at the review
9 to see specifically what I said, but.

10 Q. Turning your attention to 459, "Job Specific
11 Competencies, Product Knowledge/Work Quality," there
12 is a comment, "There was little progress made in this
13 area during 2002. This role requires study outside of
14 normal business hours." Is that your comment there?

15 A. Yes.

16 Q. And did you have a conversation with her
17 telling her she should be studying outside of normal
18 business hours?

19 A. I don't remember whether I specifically talked
20 about that with her or not. I remember that product
21 knowledge was an area that we had documented on prior
22 reviews and prior planning that the expectation was
23 that that would improve and at this point there was
24 still no improvement despite having it on the planning



1 goal for a couple years.

2 Q. This evaluation, this is not considered
3 corrective action, is that accurate?

4 A. No, I don't think that's accurate. Whenever
5 you tell someone that they're not fulfilling the role
6 that the job requires that it's a form of corrective
7 action.

8 Q. And flipping to Page 461 Linda Blozis wrote a
9 rebuttal to your review, is that correct?

10 A. That is correct.

11 Q. Linda Blozis didn't agree with the criticism in
12 the review, is that correct?

13 A. I think that's fair to say, yes.

14 Q. I'm going to show you another document that we
15 will mark as Becker -- let me just ask you. In
16 connection with this 2002 review you didn't issue
17 Linda Blozis a final written warning with this in
18 connection with this review, is that correct?

19 A. No, that is correct.

20 Q. And you didn't issue her any kind of a written
21 warning --

22 MS. WILSON: Objection to form. You can
23 answer.

24 Q. -- at the time you administered this review to



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1 A. Okay.

2 Q. Is there a point where the degree of criticism
3 is such that it's considered a written warning or is
4 any criticism on a review considered a written warning
5 or corrective action in your mind?

6 MS. WILSON: Objection to form. You can
7 answer.

8 A. Well, as far as I'm concerned when I checked
9 off Action Needed and then wrote in my comments at the
10 third line from the bottom of my comments on 460, "If
11 a deadline is missed, further corrective action will
12 follow," seems to me that that would mean that this is
13 a corrective action. I don't remember during the time
14 --

15 Q. Where are you reading that comment?

16 A. Under Manager's Comments For Assessment
17 Period," the third sentence from the end, "If a
18 deadline is missed, further corrective action will
19 follow."

20 Q. Okay.

21 A. To me that would indicate that this is a
22 corrective action and the fact that the Action Needed
23 box is checked on the top as far as an overall
24 rating.



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4 CERTIFICATE OF REPORTER

5
6 I, Christina M. Vitale, Certified Shorthand
Reporter and Notary Public, do hereby certify that
7 there came before me on Friday, January 5, 2007, the
deponent herein, WILLIAM S. BECKER, who was duly sworn
8 by me and thereafter examined by counsel for the
respective parties; that the questions asked of said
9 deponent and the answers given were taken down by me
in Stenotype notes and thereafter transcribed by use
10 of computer-aided transcription and computer printer
under my direction.

11 I further certify that the foregoing is a true
and correct transcript of the testimony given at said
12 examination of said witness.

13 I further certify that I am not counsel,
attorney, or relative of either party, or otherwise
14 interested in the event of this suit.

15
16 **COPY**

17 Christina M. Vitale, CSR
Certification No. 261-RPR
18 (Expires January 31, 2008)

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